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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 07-00014 JW
)	
12 Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING AND EXCLUDE TIME;
13 v.)	[PROPOSED] ORDER
)	
14 GUSTAVO RAMIREZ-TORRES,)	
)	
15 Defendant.)	
16)	

17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
19 Monday, April 9, 2007, be continued to Monday, April 16, 2007, at 1:30 p.m.

20 The continuance is requested because Mr. Ramirez-Torres has recently begun taking
21 psychiatric medication in the jail, and defense counsel requires additional time to observe and
22 consult with Mr. Ramirez-Torres to ensure that he is competent to proceed.

23 The parties further agree that time should be excluded under the Speedy Trial Act because
24 the defense requires time for effective preparation and investigation, 18 U.S.C. § 3161 et seq, and
25 the ends of justice outweigh the defendant's and the public's need for a speedy trial.
26

1 Dated: 4/5/07

/s/
LARA S. VINNARD
Assistant Federal Public Defender

3 Dated: 4/5/07

/s/
ERIC ROSEN
Assistant United States Attorney

5
6 **ORDER**

7 The parties have jointly requested a continuance of the hearing set for April 9, 2007, to
8 allow additional time for the defense to observe and consult with the defendant to ensure that he
9 is competent to proceed.

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
11 presently set for April 9, 2007, be continued to April 16, 2007, at 1:30 p.m.

12 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
13 from April 9, 2007, to April 16, 2007, shall be excluded from the period of time within which
14 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq, because time is
15 needed for defense investigation and preparation.

16 Dated: 4/6/2007


JAMES WARE
United States District Judge